

**CARMEL CITY CODE**  
**CHAPTER 10: ZONING & SUBDIVISIONS**  
**ARTICLE 1: ZONING CODE**  
**CARMEL ZONING ORDINANCE**  
**CHAPTER 20F: C-2/OLD TOWN DISTRICT**

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**20F.00      C-2 Old Town District.<sup>1</sup>**

20F.00.01      Purpose and Intent.

The purpose of the C-2 Old Town District is to create and protect land areas for the redevelopment of parcels in the Downtown area of the City popularly known as Old Town. The intent of the City of Carmel is that all redevelopment proposals for this area should incorporate significant civic value and mercantile activity and provide opportunities to improve the fabric of the urban setting. It is further intended that the availability of C-2 zoning in this area should foster a successful public/private relationship between the City of Carmel and prospective developers, while ensuring the compatibility of any redevelopment proposals with existing building codes and zoning regulations. As part of its efforts to redevelop the Old Town area, the City of Carmel has undertaken a significant streetscape improvement project, and determined several desirable “footprint” locations, along with public street access points and public space set-a-sides. The City further intends to facilitate the conversion of all utility and private communications lines and equipment to underground service in the C-2 zoning district.

20F.00.02      Tract Requirements.

Land areas shall be rezoned C-2 only upon application by the City of Carmel itself. All activities associated with commercial, transportation, service, office and residential activities shall be conducted within completely enclosed buildings in such a manner that any nuisance factors are not emitted outside of the building.

20F.00.03      Approval of Development Plan.

1. Following approval by the Carmel Redevelopment Commission, the City of Carmel shall submit for approval a Development Plan (DP) that includes the following development requirements for that property: architectural design, exterior lighting, landscaping and signage (ADLS).

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<sup>1</sup> Section 20F.00 amended per Ordinance No. Z-373-02; Z-453-04, §bz-ca.

2. The Director, as the staff of the Carmel/Clay Plan Commission, shall review a DP application to determine if the DP satisfies the development requirements of the C-2 District.
3. The Director must approve, approve with conditions, or disapprove the Development Plan (DP) for any tract of land in the C-2 District.
4. The Director shall hold a public hearing before deciding whether to approve or disapprove a DP. However, no DP is required for additions to existing structures which:
  - a. Are attached to the existing structure;
  - b. Continue the architectural design of the existing structure, including exterior color and materials; doors and windows, other detailing;
  - c. Meet with requirements of the C-1 District;
  - d. Do not exceed twenty percent (20%) of the original Gross Floor Area of the existing structure, applicable from the date of this Section; and
  - e. Have received a prior ADLS approval from the Commission.
5. Pursuant to IC 36-7-4-1400 *et seq.*, the Director (as the staff of the Plan Commission) is hereby authorized to conduct a public hearing to determine whether the Development Plan complies in all respects with the Zoning Ordinance and any commitments made by the owner of the real property under IC 36-7-4-613. The Director shall then make written findings concerning his or her decision to approve or disapprove the Development Plan, and the Director is hereby designated as the official who is responsible for signing the written findings.
6. The approval or disapproval of a Development Plan by the Director under this *Section 20F.0.3* is a final decision of the Commission that may be reviewed only as provided in IC 36-7-4-1016. After initial approval of the architectural design, exterior lighting, landscaping and signage (ADLS) under this *Section 20F.0.3*, the ADLS shall not be materially or substantially changed or altered without the prior approval of the Commission under its rules of procedure.
7. **Zoning Waiver.** The applicant may apply for a Zoning Waiver of the dimensional and quantitative standards of the C-1 District by not greater than thirty-five percent (35%), consistent with requirements set forth below:
  - a. The proposal shall be in harmony with the purposes and the land use standards contained in this chapter;
  - b. The proposal shall enhance the overall Development Plan, the adjoining streetscapes and neighborhoods, and the overall City Center District.
  - c. The proposal shall not produce a site plan or street/circulation system that would be impractical or detract from the appearance of the Development Plan and the City Center District, and shall not adversely affect emergency vehicle access or deprive adjoining properties of adequate light and air.
  - d. The proposal exhibits extraordinary site design characteristics, including, but not limited to: Increased landscape treatment, tree preservation, public art, provisions for bicycles and/or mass transit, reduced surface parking coupled with provisions for above or below ground parking facilities.
  - e. In granting a waiver, the Commission may impose such conditions that will, in its judgment, secure the purposes of this chapter. This subsection does not affect the right of an applicant under Indiana law to petition the Board for a variance from development standards, as provided in IC 36-7-4-918.5 and this Zoning

Code.

## **20F.01      Permitted Uses.<sup>2</sup>**

See *Appendix A: Schedule of Uses*.

20F.01.01      Minimum Area Requirements: None.

20F.01.02      Other Requirements: None.

## **20F.02      Special Uses & Special Exceptions.<sup>3</sup>**

A.      Other uses similar and comparable to the C-2 permitted uses specified in *Appendix A: Schedule of Uses*.

B.      See *Chapter 21: Special Uses & Special Exceptions* for additional regulations.

20F.02.01      Minimum Area Requirements: None.

20F.02.02      Other Requirements: None.

## **20F.03      Accessory Buildings.<sup>4</sup> (See *Chapter 25: Additional Use Regulations* for additional requirements.)**

Accessory buildings shall not be allowed except:

A.      Pursuant to a developmental standards variance; or

B.      As stated in *Section 20F.06.02*; or

C.      Detached garage units approved as part of the ADLS.

## **20F.04      Height and Area Requirements.<sup>5</sup> (See *Chapter 26: Additional Height, Yard, & Lot Area Regulations* for additional requirements.)**

20F.04.01      Maximum Height: Sixty (60) feet, comprising no more than four (4) stories. Floor-to-ceiling height shall be a minimum of ten (10) feet at the first story and eight (8) feet at the second and third stories.

## **20F.05      Streetscape and Landscaping Requirements.<sup>6</sup>**

20F.05.01      Landscaping shall be designed in accordance with the adopted landscaping style and species palette established for the City Center by the City of Carmel Redevelopment Commission.

20F.05.02      Street Trees. Shade trees shall be planted along all streets within the rights-of-ways, parallel to the street. Species, size, and installation shall be per the standards of the City of Carmel.

20F.05.03      Landscaping Installation and Maintenance.

<sup>2</sup> Section 20F.01 amended per Ordinance No. Z-415-03, §bb.

<sup>3</sup> Section 20F.02 amended per Ordinance No. Z-415-03, §bc; Z-453-04, §cb.

<sup>4</sup> Section 20F.03 amended per Ordinance No. Z-373-02.

<sup>5</sup> Section 20F.04 amended per Ordinance No. Z-476-05, §c.

<sup>6</sup> Section 20F.05 amended per Ordinance No. Z-365-01; Z-373-02. Section 20F.05.03 renumbered per Z-373-02.

1. **Installation.** All required landscaping pursuant to the ADLS approval shall be installed prior to the issuance of a Certificate of Occupancy by the Department Administrator. If it is not possible to install the required landscaping because of weather conditions, the property owner shall post a bond for an amount equal to the total cost of the required landscaping prior to the issuance of the Final Certificate of Occupancy.
2. **Maintenance.** It shall be the responsibility of the owners and their agents to insure proper maintenance of the landscaping, in accordance with the standards set forth in the Development Plan. This is to include, but is not limited to, replacing dead plantings with identical varieties or a suitable substitute, and keeping the area free of refuse and debris.

## **20F.06      Fencing; Dumpsters and Refuse Areas.**

20F.06.01      Fencing shall not be allowed except pursuant to a developmental standards variance.

20F.06.02      Each building shall provided a fully screened and gated dumpster or a refuse area of sufficient size to fully enclose and contain all dumpsters and compaction units. The screened area shall be connected to the main structure in such a way that no refuse is moved across the site before it is removed by a refuse service. However, if it is not feasible for the required dumpster or compaction unit to be connected to the main structure, then it shall be enclosed and screened with a combination of brick masonry walls and landscaping.

## **20F.07      Parking.**

20F.07.01      Notwithstanding *Section 27.05* of the Zoning Ordinance, the minimum number of parking spaces to be provided in the C-2 District shall be computed as follows:

- (a)      one and one-half (1.5) spaces per dwelling unit; and
- (b)      four (4) spaces per 1,000 square feet of retail floor space.

Except as provided in *Section 20F.07.02* below, the rules set forth in *Section 27.01* through *27.04* of the Zoning Ordinance shall apply in computing the number of required parking spaces, and in determining the location and construction thereof.

20F.07.02      Off-street parking areas for two (2) or more different uses may be provided collectively, if the total number of spaces provided is not less than the total of the minimum required spaces for each individual use. Combined parking shall be designed and constructed so as to create a desirable, efficient and well planned off-street parking area with functional and aesthetic value, attractiveness and compatibility with adjacent land uses. Sharing of off-street parking areas is permitted where it is proved that two (2) adjacent buildings have uses that require parking at complementary times of the day or days of the week. In addition, on-street parking spaces may, if available and adjacent to the lot of the use, be counted as part of the total parking spaces required by this *Section 20F.07*.

## **20F.08      Architectural Design Requirements.<sup>7</sup>**

20F.08.01      Buildings shall be designed and constructed in accordance with the adopted architectural style and materials palette established for the City Center by the City of Carmel Redevelopment Commission.

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<sup>7</sup> *Section 20F.08* amended per *Ordinance No. Z-373-02*.

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**20F.09      Permanent Signs.**<sup>8</sup>

- 20E.09.01      All permanent signs in the C-2 District shall be designed and constructed in accordance with the adopted architectural style and materials palette established for the City Center by the City of Carmel.
- 20E.09.02      Except as noted below, the placement and number of permanent signs shall be in accordance with the project standards established by the City of Carmel Redevelopment Commission.
- 20E.09.03      All Signs must fit within the horizontal and vertical elements of the building and may not obscure details of the building.
- 20E.09.04      No sign shall extend above the cornice line of the building.

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<sup>8</sup> *Section 20F.09 adopted per Ordinance No. Z-373-02.*

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**CHAPTER 20F: C-2/OLD TOWN DISTRICT  
AMENDMENT LOG**

<b>Ordinance No.</b>	<b>Docket No.</b>	<b>Council Approval</b>	<b>Effective Date</b>	<b>Sections Affected</b>
<b>Z-365-01</b>	76-01a OA	November 5, 2001	November 27, 2001	20F.5.4(1)
<b>Z-373-02</b>	4-02 OA	April 1, 2002	April 1, 2002	20F.0.3; 20F.3; 20F.5; 20F.8; 20F.9 Spring 2002 v1
<b>Z-415-03</b>	39-02 OA	November 17, 2003	November 18, 2003	20F.01; 20F.02 Autumn 2003 v1
<b>Z-453-04</b>	150-02 OA	August 16, 2004	August 16, 2004	20F.00; 20F.02 Summer 2004 v1
<b>Z-476-05</b>	05020023 OA	May 2, 2005	May 2, 2005	20F.04 Spring 2005 v1